

STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE HIPSAVER COMPANY, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-10917 PBS
)	
J.T. POSEY COMPANY,)	
)	
Defendant.)	
)	

ASSENTED-TO MOTION OF DEFENDANT J.T. POSEY COMPANY FOR LEAVE TO FILE UNDER SEAL EXHIBITS TO DECLARATION OF PHILIP GREEN IN SUPPORT OF J.T. POSEY COMPANY'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Local Rule 7.2, defendant J.T. Posey Company ("Posey") respectfully moves that Exhibits A and B to the Declaration Of Philip Green In Support Of J.T. Posey Company's Motion For Summary Judgment (which are being submitted herewith in a sealed envelope) be filed under seal and impounded until further Order of the Court.

In support thereof, Posey states the exhibits and the information therein have been designated by the parties as "Confidential – Attorneys' Eyes Only" under the Protective Order in this case (Docket No. 48). In accordance with Local Rule 7.2, Posey requests that the exhibits be impounded until the final resolution of this litigation between the parties, at which time they will be retrieved by Posey.

Pursuant to Local Rule 7.1(A)(2), counsel for Posey has conferred with the plaintiff's counsel regarding this motion. The plaintiff has no objection to placing the memorandum and exhibits under seal.

WHEREFORE, Posey requests that the Court enter an Order impounding the above-referenced documents.

J.T. POSEY COMPANY

By its attorneys,

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December 11, 2006

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of electronic filing and paper copies will be sent to those indicated as non-registered participants on December 11, 2006. The Exhibits A and B to the Declaration Of Philip Green In Support Of J.T. Posey Company's Motion For Summary Judgment that are being filed under seal will be hand delivered to the following people:

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